

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
: STIPULATION AND ORDER
: -v.- : S1 15 Cr. 333 (LTS)
: :
GERY SHALON, :
a/k/a "Garri Shalelashvili, :
a/k/a "Gabriel" :
a/k/a "Gabi" :
a/k/a "Phillipe Mousset" :
a/k/a "Christopher Engeham," :
: :
Defendant. :
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WHEREAS, on or about March 25, 2021, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the "Preliminary Order of Forfeiture") (D.E. 178), which imposed a money judgment against the Defendant in the amount of \$413,721,087 in United States currency, and ordered the forfeiture to the United States of all right, title and interest of GERY SHALON (the "Defendant") in various property (the "Specific Property"), including the following property:

- i. Any and all assets of BigTree Solutions Inc. and BigTree Solutions LLC, including but not limited to any assets or interest purportedly transferred from BigTree Solutions to DeliverLogic, Inc.

(the "Subject Property");

WHEREAS, the Preliminary Order of Forfeiture directed the United States to publish, for at least thirty (30) consecutive days, notice of the Preliminary Order of Forfeiture, notice of the United States' intent to dispose of the Specific Property, and the requirement that any

person asserting a legal interest in the Specific Property must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). The Preliminary Order of Forfeiture further stated that the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Specific Property and as a substitute for published notice as to those persons so notified;

WHEREAS, on or about August 9, 2021, the Government sent direct notice to DeliverLogic, Inc. providing notice of the entry of the Preliminary Order of Forfeiture and advising that should DeliverLogic Inc. wish to assert a legal interest in the Specific Property, it would need to file a petition for a hearing to adjudicate the validity of its alleged interest in the Specific Property within thirty (30) days of the receipt of the notice letter;

WHEREAS, DeliverLogic, Inc. has notified the Government of its potential interest in the Subject Property;

WHEREAS, on September 19, 2021, DeliverLogic Inc. and the Government agreed to a stipulation extending the time for DeliverLogic Inc. to file a petition regarding the Subject Property up to and including December 1, 2021, which stipulation the Court entered on September 20, 2021; and

WHEREAS, the Government has consented to an additional extension of the deadline for DeliverLogic Inc. to file a petition regarding the Subject Property to January 12, 2022, in order to allow DeliverLogic Inc. and the Government to continue to explore a mutually agreeable, consensual resolution with respect to the Subject Property;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney,

Assistant United States Attorney Noah Solowiejczyk, and DeliverLogic Inc., and its counsel, James J. McGuire, Esq., that:

1. DeliverLogic Inc. shall have up to and including January 12, 2022 to file with the Court a petition asserting an interest in the Subject Property.

2. DeliverLogic Inc. disclaims any interest in the remaining Specific Property and shall not file a petition asserting an interest in any of those assets.

3. The signature page of this Stipulation and Order may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:
DAMIAN WILLIAMS
United States Attorney
Southern District of New York

By: /s Noah Solowiejczyk 12/1/21
Noah Solowiejczyk DATE
Assistant U.S. Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. No. (212) 637-2473

By: /s James McGuire 12/1/21
James J. McGuire, Esq. DATE
Counsel for the DeliverLogic Inc.
Greenspoon Marder LLP
IBM Building
590 Madison Avenue, Suite 1800
New York, New York 10022

SO ORDERED: